

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Professional Regulation Law of
5 the Civil Administrative Code of Illinois is amended by adding
6 Section 2105-207 as follows:

7 (20 ILCS 2105/2105-207 new)

8 Sec. 2105-207. Records of Department actions.

9 (a) Any licensee subject to a licensing Act administered by
10 the Division of Professional Regulation and who has been
11 subject to disciplinary action by the Department may file an
12 application with the Department on forms provided by the
13 Department, along with the required fee of \$200, to have the
14 records classified as confidential, not for public release and
15 considered expunged for reporting purposes if:

16 (1) the application is submitted more than 7 years
17 after the disciplinary offense or offenses occurred;

18 (2) the licensee has had no incidents of discipline
19 under the licensing Act since the disciplinary offense or
20 offenses identified in the application occurred;

21 (3) the Department has no pending investigations
22 against the licensee; and

23 (4) the licensee is not currently in a disciplinary

1 status.

2 (b) An application to make disciplinary records
3 confidential shall only be considered by the Department for an
4 offense or action relating to:

5 (1) failure to pay taxes or student loans;

6 (2) continuing education;

7 (3) failure to renew a license on time;

8 (4) failure to obtain or renew a certificate of
9 registration or ancillary license;

10 (5) advertising; or

11 (6) any grounds for discipline removed from the
12 licensing Act.

13 (c) An application shall be submitted to and considered by
14 the Director of the Division of Professional Regulation upon
15 submission of an application and the required non-refundable
16 fee. The Department may establish additional requirements by
17 rule. The Department is not required to report the removal of
18 any disciplinary record to any national database. Nothing in
19 this Section shall prohibit the Department from using a
20 previous discipline for any regulatory purpose or from
21 releasing records of a previous discipline upon request from
22 law enforcement, or other governmental body as permitted by
23 law. Classification of records as confidential shall result in
24 removal of records of discipline from records kept pursuant to
25 Sections 2105-200 and 2105-205 of this Act.

1 Section 10. The Health Care Professional Credentials Data
2 Collection Act is amended by adding Section 51 as follows:

3 (410 ILCS 517/51 new)

4 Sec. 51. Licensure records. Licensure records designated
5 confidential and considered expunged for reporting purposes by
6 the licensee under Section 2105-207 of the Civil Administrative
7 Code are not reportable under this Act.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.